

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION**

|                             |   |                                 |
|-----------------------------|---|---------------------------------|
| UNITED STATES OF AMERICA,   | § |                                 |
|                             | § |                                 |
| Plaintiff,                  | § |                                 |
| v.                          | § |                                 |
|                             | § | CRIMINAL ACTION NO. 4:09-CR-140 |
| ROMONT LACHEA ROBBINS, JR., | § |                                 |
|                             | § |                                 |
| Defendant.                  | § |                                 |

**REPORT AND RECOMMENDATION  
OF UNITED STATES MAGISTRATE JUDGE**

Now before the Court is the request for revocation of Defendant's supervised release. After the District Judge referred the matter to this Court for a report and recommendation, the Court conducted a hearing on June 3, 2019, to determine whether Defendant violated his supervised release. Defendant was represented by Denise Benson. The Government was represented by Wes Wynne.

Romont Lachea Robbins, Jr., was sentenced on April 22, 2010, before The Honorable Richard A. Schell of the Eastern District of Texas, after pleading guilty to the offense of Felon in Possession of a Firearm and Ammunition, a Class C felony. This offense carried a statutory maximum imprisonment term of 10 years. The guideline imprisonment range, based on a total offense level of 23 and a criminal history category of VI, was 92 to 115 months. Romont Lachea Robbins, Jr., was subsequently sentenced to 88 months of imprisonment followed by a 3-year term of supervised release, subject to the mandatory and standard conditions of release, plus special conditions to include financial disclosure, substance abuse treatment and testing, and a \$100 special assessment fee. On October 3, 2016, Romont Lachea Robbins, Jr., completed his period

of imprisonment and began service of the supervision term. On April 25, 2017, this case was reassigned to the Honorable Amos L. Mazzant, III.

On October 7, 2018, the U.S. Probation Officer executed a Petition for Warrant or Summons for Offender Under Supervision [Dkt. #51, Sealed]. The Petition asserted that Defendant violated four (4) conditions of supervision, as follows: (1) The defendant shall not commit another federal, state, or local crime; (2) The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance; (3) The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician; and (4) The defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer.

The Petition alleges that Defendant committed the following acts: (1), (2), and (3) On July 4, 2018, in Grayson County, Texas, the defendant committed the offense of open container, failing to stop at a stop sign, and possession of a controlled substance. On September 26, 2018, a case was filed for Possession of a Controlled Substance in Case Number 069825 in Grayson County 15<sup>th</sup> District Court. A court date has not been set. On January 28, 2018, in Grayson County, Texas, the defendant was arrested for Possession of a Controlled Substance, a State Jail Felony. The defendant was released on a \$5,000 bond on January 30, 2018. This case was filed in the 15<sup>th</sup> Judicial District Court, Grayson County, in Case Number 069162. A pretrial hearing is set for November 16, 2018. On April 6, 2018, the defendant submitted a urine specimen at his home in Sherman, Texas, that tested positive for marijuana. The defendant admitted to using marijuana. On February 16, 2018, the defendant submitted a urine specimen at the probation office in Plano, Texas, that tested positive for marijuana. The specimen was confirmed positive by Alere

Laboratories, Inc.; and (4) The defendant failed to notify the probation officer that he was stopped by law enforcement on July 4, 2018, and cited for Open Container in Motor Vehicle, Failure to Maintain Financial Responsibility, Driving While License Invalid, and Disregard Stop Sign.

Prior to the Government putting on its case, Defendant entered a plea of true to allegations one (1) and two (2) of the Petition. The Government will dismiss allegations three (3) and four (4) of the Petition. Having considered the Petition and the plea of true to allegations one (1) and two (2), the Court finds that Defendant did violate his conditions of supervised release.

Defendant waived his right to allocute before the District Judge and his right to object to the report and recommendation of this Court.

### **RECOMMENDATION**

Pursuant to the Sentencing Reform Act of 1984, the Court recommends that Defendant's supervised release be revoked and that he be committed to the custody of the Bureau of Prisons to be imprisoned for a term of twenty-one (21) months to run consecutively to any other term, with no term of supervised release to follow.

The Court also recommends that Defendant be housed in the Bureau of Prisons facility in the North Texas area, if appropriate.

**SIGNED this 10th day of June, 2019.**



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Christine A. Nowak  
UNITED STATES MAGISTRATE JUDGE